



**CODE OF PRACTICE
FOR THE
ADVISORY COMMITTEE ON CLINICAL
EXCELLENCE AWARDS
(ACCEA)**

July 2013



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Introduction

The Code of Practice for the Advisory Committee on Clinical Excellence Awards (ACCEA) and its sub-committees has been written with regard to the seven principles of public life. The principles of public life apply to anyone who works as a public office-holder. Like others who serve the public, members of ACCEA and its sub-committees should follow the principles, which are detailed at Annex 1. All members of ACCEA are expected to comply at all times with the Code of Practice.

1 The Role of the Advisory Committee on Clinical Excellence Awards (ACCEA)

1.1 The Advisory Committee on Clinical Excellence Awards (ACCEA) is an independent advisory non-departmental public body (ANDPB). The Clinical Excellence Awards Scheme is governed by common criteria and there is a common application form for all levels of award.

1.2 The Committee's Terms of Reference are:

To advise Health Ministers on the making of clinical excellence awards to consultants and academic GPs working in the NHS as defined in guidance by:

- ensuring that the criteria against which candidates will be assessed reflect achievement over and above what is normally expected contractually;
- overseeing the process by which all nominations will be judged, taking account of advice given by its regional sub-committees for level 9 (national) – 11 (bronze, silver and gold) awards;
- considering all nominations for level 12 (platinum) awards taking advice from the sub-committees;
- recommending consultants for level 9 (national) – 12 (bronze, silver, gold and platinum) awards with regard to the available funding, taking account of advice from the chair and medical director and regional sub-committees;
- recommending consultants for continuation of their awards through the review process taking account of advice from the Chair and Medical Director and regional sub-committees or in the case of inadequate evidence recommending when awards should not be renewed;
- supporting employer-based awards processes to ensure a fair, open and transparent Scheme; by issuing guidance and providing advice, and by monitoring and reporting on the distribution of employer-based awards;
- overseeing and monitoring that systems are in place to enable consultants to make appeals against the process, and for any concerns and complaints to be considered;
- considering the need for development of the Scheme; and
- considering other business relevant to the development and delivery of the scheme.

2 ACCEA Secretariat

2.1 ACCEA has a full-time executive secretariat, which is hosted by the Department of Health.

2.2 The role of the ACCEA Secretariat is

- ❖ provide day to day support for the Chairman and Medical Director;
- ❖ support the Chairmen & Medical Vice-Chairmen of the sub-committees around the country.
- ❖ process approximately 3,000 applications for new and renewal awards each year;
- ❖ lead in the Department of Health on development of operational policy for ACCEA;
- ❖ undertake the executive duties arising from the process of making annual awards, including the writing of the Annual Report;
- ❖ manage the Clinical Excellence Awards budget, ensuring appropriate allocation of funds;
- ❖ manage the ACCEA database, an information system holding personal data and awards related information on some 36,000 NHS consultants;
- ❖ manage the collection and processing of data, including the statistical analyses required for publication;
- ❖ provide advice, in writing and on the telephone, on Clinical Excellence Awards to all interested parties;
- ❖ liaise with the awards committees secretariats in Wales and Scotland as well as the MOD;
- ❖ provide advice/replies to Ministerial correspondence, briefings and submissions to Ministers on ACCEA business as required;
- ❖ provide advice and information to the parties discussing the DDRB recommendations and implement a new awards scheme.

3 Communications

Communications with Ministers

3.1 Communications on ACCEA business with Ministers of the Department of Health will usually be through the Secretariat.

Communications with the Media

3.2 Media enquiries about the work of ACCEA should normally be referred to the Department of Health Press Office. Individual applications to ACCEA should be treated in the strictest confidence. No comment on related Government policy or on party political aspects should be made.

4 Confidentiality

4.1 All discussions of the claims of individual consultants to Clinical Excellence Awards and of the relative strengths of the claims of different individuals remain strictly confidential to those involved in the process of evaluation and assessment. Discussion of individual applications is confidential to the members of the sub committee. Feedback to individuals can only be sought from the employer, usually the Chief Executive of the Trust. The Chief Executive can seek advice from the Medical Vice-Chair of the appropriate regional sub committee if desired.

4.2 Application for awards will be made available, via the ACCEA on line system, to the members of the relevant sub-committees and to anybody who has been requested to contribute to their completion (e.g. a consultant's chief executive or medical director providing the employer's statement).

4.3 Any action notes of meetings shall remain private. All papers should be treated in confidence before and after meetings. Personal notes should not be retained after the end of the Round.

4.4 If committee members are unsure about the handling of papers, they should consult the Secretariat for advice.

4.5 All applications, citations and scoring information are completed and stored on the ACCEA on line system.

4.6 The ACCEA Secretariat complies with the provisions of key Acts of Parliament such as the Data Protection Act 1998 and the Freedom of Information Act 2000.

5 Conflict of Interest

5.1 All committee members should declare any personal or business interests that may conflict with their responsibilities as members of the ACCEA or its regional sub-committees.

5.2 Any committee member who has a direct interest in any item under discussion, e.g. a personal or business interest involving an individual nominated for an award, should declare an interest. It is then for the Committee Chair to decide whether the member should continue to take an active part in any discussions. Also if a member is applying for a current award then they should absent themselves from all discussions relating to that level of award.

5.3 Some committee members may be employed as consultants on related issues by the Government, or by private sector companies. This could be viewed by some as inconsistent with an independent committee. Members are required to advise the secretariat of changes to their interests *as they occur*. This requirement applies to any personal and business interests that may conflict with the responsibilities as a member of the ACCEA Committee or its regional sub-committees and places the member under an obligation to declare any such interest at the start of a particular discussion. The Committee Chair, if it is considered desirable, may ask a member to withdraw for the relevant discussion.

5.4 The Declaration of Members' Interests at Annex 3 reflects the advice of the Committee on Standards in Public Life and includes a proforma for completion by appointed members of the ACCEA main committee at Appendix 1.

6 Annual Report

6.1 An annual report will be drafted by the Secretariat to include details of membership of the ACCEA Committee and its regional sub-committees throughout the year together with a summary of issues and advice. It will include information on the distribution of all levels of award.

7 Appointment of ACCEA and its Regional Sub-Committee Members

7.1 These appointments are made by the ACCEA Chair and Medical Director within the guidelines laid down by Office of Commissioner for Public Appointments. These processes ensure transparency and objectivity by open competition and advertising and by using explicit criteria for the posts. The intention is to ensure a fair, open and transparent appointments process that produces a quality outcome and can command public and professional confidence.

7.2 ACCEA requires that all committee members must have undertaken training in diversity issues.

7.3 Appointments to the main committee and of Chairs & Medical Vice-Chairs of sub-committees will be after a panel interview. Sub-committee members are appointed on the basis of applications and CVs, taking into account the views of the relevant Chair and Medical Vice Chair. However, ACCEA's Chair and Medical Director will make the final decision on who will be appointed.

7.4 Although there are variations in the way the three constituent groups (lay, professional and employer) are appointed, the following requirements apply to the appointment of all committee members:

- all posts must be publicised and ACCEA has the discretion to do so in the most effective and proportionate way. ACCEA may seek nominations from appropriate organisations
- all candidates must complete an application form
- information packs must be sent to all applicants to include:
 - a) the application form with a conflict of interest question
 - b) a realistic indication of the time commitment
 - c) details of remuneration and expenses relating to the appointment
 - d) details of ACCEA.

7.5 Members are selected, where possible, to ensure specialty, employer, award level, ethnic and gender balance across the individual committee.

8 Appeals

8.1 ACCEA sets out an appeal process in its Guidance documents ensuring that consultants can challenge procedural failings in the evaluation process. The Main ACCEA receives reports on appeals, concerns and complaints and summary information is included in the Annual Report.

THE SEVEN PRINCIPLES OF PUBLIC LIFE SET OUT BY THE COMMITTEE ON STANDARDS IN PUBLIC LIFE

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for awards or benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

ADVISORY COMMITTEE ON CLINICAL EXCELLENCE AWARDS

Investigations or disciplinary procedures

1. The Framework Agreement establishing the Clinical Excellence Awards Scheme states that consultants are eligible for awards providing there are no adverse outcomes for the consultant following disciplinary action by the employer or the General Medical Council or the General Dental Council. It also states that in very extreme circumstances the award **and** associated payment will be removed. Adverse outcomes include disciplinary sanctions, all findings by the GMC or GDC of impaired fitness to practise due to 'misconduct', 'deficient professional performance' or criminal conviction or caution and formal GMC/GDC warnings. Eligibility relates to continuing to hold an award as well as applying for a new award.
2. **A consultant or academic GP will not be eligible to apply for an award, to continue to hold an award or to renew an award, if they have disciplinary sanctions including formal GMC/GDC findings of impaired fitness to practise or warnings outstanding against them.**
3. The implications of disciplinary sanctions by employers' disciplinary proceedings, including the issuing of a formal warning, will be considered by the main ACCEA. ACCEA will decide if those sanctions render the consultant ineligible, with an opportunity for the consultant and the employer, where appropriate, to make representations on the issue.
4. ACCEA considers the placing of restrictions by a regulator or employer on a consultant's practice as indicating 'very extreme circumstances' in which pay protection would not apply. Consultants in this position would have the award itself and payment of the award removed unless the consultant makes a case to the main ACCEA that persuades them that it would be appropriate to continue payment. This would only occur in exceptional circumstances. Any such decision would be reviewed by ACCEA should the restrictions be overturned on appeal.

ADVISORY COMMITTEE ON CLINICAL EXCELLENCE AWARDS

**Declaration of Members' Interests
Code of Practice**

INTRODUCTION

The Code of Practice guides the Chair, Medical Director and the members of the Advisory Committee on Clinical Excellence Awards (ACCEA) and its regional sub-committees as to the circumstances in which they should declare an interest, which could conflict with their responsibilities as a member of the ACCEA Committee or its sub-committees.

DIFFERENT TYPES OF INTEREST

The following is intended as a guide to the kinds of interests, which should be declared. Where members are uncertain as to whether an interest should be declared, they should seek guidance from the Secretariat.

Personal Interests

The main examples are:

- (a) Remunerated Office, Employment, Profession – any employment, consultancy, directorship, position in or work on related matters, which attracts regular or occasional remuneration. This includes positions within Royal Colleges and other nominating bodies and specialist societies or registered charities.
- (b) Fee-paid work – any work commissioned on any related matters for which the member is paid in cash or kind
- (c) Miscellaneous and Unremunerated interests – any consultancy, directorship, position in or work on related matters, which are unremunerated. This includes positions within Royal Colleges and other nominating bodies and specialist societies or registered charities.
- (d) Shareholdings – any shareholding in or other beneficial interest in shares of any related business. This does not include shareholdings through unit trusts or similar arrangements where the member has no influence on financial management.

Declaration of Interests to the ACCEA Secretariat

Members of the Committee should inform the ACCEA Secretariat in writing when they are appointed of their current personal and non-personal interests. Only the name of the company and the nature of the interest are required; the amount of any salary, fee, shareholding, grant etc., need not be disclosed to the Secretariat. An interest is current if the member has an on-going financial involvement with a business, for example, if they hold shares in a relevant company, if they have a consultancy contact with a relevant business, or if they, or the department for

which they are responsible, is in the process of carrying out work for the NHS or other relevant organisation. Members are asked to inform the Department of Health, through the Secretariat, at the time of any change in their personal interests. Changes in non-personal interests can be reported annually.

Declaration of Interests at Meetings

Members are required to declare relevant interests under discussion at committee meetings. A member, who is in any doubt as to whether they have an interest, which should be declared, or whether they should take part in the proceedings, should ask the Chair for guidance.

The usual procedure for committee meetings is as follows:

- Members with a personal specific interest will be asked to leave the room for the discussion and decision-making
- Members with non-personal, non-specific interests will be able to participate in the discussion and the decision-making

RECORD OF INTERESTS

A record is kept in the ACCEA Secretariat of the names of members who have declared interests to it, and the nature of those interests. This information will normally remain confidential to the ACCEA Secretariat and the Department of Health unless it is required to be disclosed in Parliament.



Area 06-22A
Skipton House
80 London Road
SE1 6LH

ADVISORY COMMITTEE ON CLINICAL EXCELLENCE AWARDS

REGISTER OF MEMBERS' INTERESTS

Name	REMUNERATED OFFICE, EMPLOYMENT, PROFESSION ETC (include office of National Nominating Body, Specialist Society or Registered Charity if remunerated)	MISCELLANEOUS AND UNREMUNERATED INTERESTS (include office of National Nominating Body, Specialist Society or Registered Charity)	SHARE HOLDINGS



Department
of Health